

Message Text

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ACTION OES-06

INFO OCT-01 EA-07 ISO-00 ACDA-07 AGRE-00 AID-05 CEA-01
CEQ-01 CG-00 CIAE-00 CIEP-01 COME-00 DLOS-06 DODE-00
DOTE-00 EB-08 EPA-01 ERDA-05 FMC-01 TRSE-00 H-01
INR-07 INT-05 IO-13 JUSE-00 L-03 NSAE-00 NSC-05
NSF-01 OMB-01 PA-01 PM-04 PRS-01 SP-02 SS-15 SAL-01
FEA-01 NSCE-00 SSO-00 USIE-00 INRE-00 /111 W
-----140834Z 031234 /17

O R 140820Z FEB 77

FM AMEMBASSY SEOUL

TO SECSTATE WASHDC IMMEDIATE 2114

INFO AMEMBASSY TOKYO

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EO 11652: GDS

TAGS: EFIS, KS, JA

SUBJECT: US-KOREA GOVERNING INTERNATIONAL FISHERY AGREEMENT

REF: STATE 2001

SUMMARY: MINISTRY OF FOREIGN AFFAIRS HAS RECEIVED "IMPRECISE" REPORTS FROM ROK EMBASSY WASHINGTON RE FAILURE OF USG TO OBTAIN APPROVAL OF US-ROK GIFA FROM CONGRESS TOGETHER WITH THE OTHERS APPROVED BY JOINT RESOLUTION OF FEBRUARY 8, 1977. REQUESTS URGENT EXPLANATION U.S. "INTERNAL PROCEDURES" AS CONTAINED IN ARTICLE XV. END SUMMARY.

1. DURING VISIT TO FONOFF, DIRECTOR HAM TAE HYUK OF ECONAFF BUREAU INFORMED EMBOFF OF ROKG SURPRISE THAT THE GIFA IS APPARENTLY STILL WITHIN EXECUTIVE BRANCH ALTHOUGH 40 DAYS HAVE PASSED SINCE ITS SIGNING ON JANUARY 4, 1978. HE NOTED THAT THE PRIMINISTER SIGNED THE AUTHORIZATION FOR ROK AMBASSADOR TO INITIAL AGREEMENT ON DECEMBER 28, 1976 AND PRESIDENT SIGNED IT ON DECEMBER 30. THEREFORE, ROK INTERNAL PROCEDURES WERE LEGALLY COMPLETED BEFORE

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SIGNING AT WASHDC WHETHER OR NOT THE ROKG LATER DECIDES ALSO TO TRANSMIT THE AGREEMENT TO THE NATIONAL ASSEMBLY FOR DISCUSSION OR REVIEW.

3. HAM NOTED THAT "INTERNAL PROCEDURES" AS USED IN ARTICLE XV IS TO BE INTERPRETED INDEPENDENTLY BY BOTH SIDES AND THAT HE HAD NO RPT NO WISH TO SUGGEST WHAT THOSE

OF THE USG MIGHT BE. HOWEVER, HE NOTED THAT THE U.S. ACT
REQUIRES CONGRESSIONAL REVIEW WHICH MIGHT CAUSE REVOCATION
OF U.S. SIGNATURE, WHERE NO RPT NO SUCH CIRCUMSTANCE
EXISTS ON ROK SIDE. HAM REQUESTED THE TEXT OF THE JOINT
RESOLUTION OF FEBRUARY 8, WHICH APPARENTLY SATISFIES THE
60 DAY REQUIREMENT AS FAR AS THE GIFA'S LISTED IN IT ARE
CONCERNED. HE OBSERVED THAT IT IS HIS UNDERSTANDING THE
GIFA CANNOT ENTER INTO FORCE WITHIN 60 DAYS OF SIGNING
IF U.S. "INTERNAL PROCEDURES" ARE NOT SATISFIED BY THE
60 DAY "SLEEP" IN CONGRESS OR A WAIVER OF THOSE 60 DAYS.

4. HAM REQUESTED THAT EMBASSY URGENTLY SEEK INFORMATION
ON WHEN U.S. "INTERNAL PROCEDURES" CAN BE COMPLETED TO
ALLOW ROK-US GIFA TO ENTER INTO FORCE ON MARCH 1, 1977.

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Message Attributes

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Control Number: n/a
Copy: SINGLE
Sent Date: 14-Feb-1977 12:00:00 am
Decapton Date: 01-Jan-1960 12:00:00 am
Decapton Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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